

The Mortgage Lending Division will provide information to interested parties regarding USA Commercial Mortgage, Co. dba USA Capital, a licensed mortgage broker in Nevada/ License Number 333, has filed voluntary petitions for reorganization under Chapter 11 of the U.S. Bankruptcy Code in order to address liquidity and debt restructuring. Please see the two websites listed below for more information. The Mortgage Lending Division only has regulatory jurisdiction over the Individual Private Trust Deeds – NOT THE REGULATED SECURITIES or INVESTMENT FUNDS.

<http://www.usacapitalcorp.com/>

<http://www.bmccorp.net> select USA Commercial Mortgage from the drop down menu on the right hand side

The Division is reviewing and monitoring the bankruptcy filing and activities surrounding all private investor trust deed transactions with the cooperation of USA Capital. This action affects both borrowers and investors. If you have invested with USA what should you do?

1. Gather and review all the documents on each investment including the note & deed and any waivers you signed to receive loan documentation.
2. If you did not waive the appraisal and one was completed– you may wish to review it and possibly obtain an updated value.
3. You should review any recorded documents you have received – title policies, deeds of trusts, assignments and verify the % of ownership you have.
4. You should go to the Recorder's web page in whatever county the property was made and verify that the deed of trusts & assignments were recorded in your name. The information will also give you the other beneficial owners.
5. You may wish to form an investor group and meet to discuss a coordinated plan. This could include obtaining a new appraisal to assess the current value of your investment and discussions regarding foreclosure procedures if the loan is either in default or goes into default.
6. If someone contacts you offering to buy your investment – make an informed decision. Without some of the above information you may make a bad or hasty decision that could cause you to lose money or lose additional money. Remember investing in trust deeds is not guaranteed.
7. If all of the servicing was done in accordance with NRS 645B your account should not be included in the bankruptcy.
8. If the servicing was not performed in accordance with NRS 645B the Division may have to take measures to protect the integrity of investor monies.
9. Due to the bankruptcy filing, there may be some interest checks issued that if presented for payment could be returned as Insufficient Funds. Those checks would have to be re-issued at a later date which at this time cannot be determined.
10. You may file a complaint with the Division. If you do so please include specific information and documentation. A complaint form may be found on our website.

If you are a borrower:

1. You have a legal requirement to make payments in accordance with your Note and Mortgage or Deed of Trust.
2. If you have additional phases to be completed which would require new debt – you should immediately be reviewing your other options to secure financing.

The Division will be updating our website with new information as it becomes available. We also intend to hold informational meeting(s) that will be posted on our homepage. We have not scheduled the first meeting; however, we would anticipate it to be within 30 days. Although the Division cannot advise you as to your course of action, we will be providing you as much information as we can so that you can make an informed decision. If you have any questions you may contact Scott Bice, Commissioner, at 702-486-0780.